

ORDINANCE NO. 024-154

AN ORDINANCE AUTHORIZING A
GRANT OF A PERMANENT NON-
EXCLUSIVE EASEMENT TO DICK
KEEFE DEVELOPMENT
CORPORATION FOR PROPERTY
LOCATED BETWEEN MAPLE
AVENUE AND ISABELLA STREET,
ADJACENT TO THE PURPLE LINE,
IN WILMETTE, ILLINOIS

WHEREAS, The Chicago Transit Authority ("Authority") owns certain vacant real estate which is adjacent to the Purple Line Right-of-Way, between Maple Avenue and Isabella Street in Wilmette, Illinois ("Property"); and

WHEREAS, Chicago Transit Board Ordinance No. 088-176, dated November 2, 1988, declared as surplus a portion of the Property which had dimensions of 20 feet by 627 feet and authorized the sale of the same through the Authority's competitive bid process ("1988 Parcel"); and;

WHEREAS, Chicago Transit Board Ordinance No. 089-16, dated January 6, 1989, authorized acceptance of the bid for purchase of the 1988 Parcel in the amount of Seventy-seven Thousand Five Hundred Dollars (\$77,500.00), which was submitted by Dick Keefe Development Corporation ("Developer"); and

WHEREAS, Chicago Transit Board Ordinance No. 089-141, dated October 4, 1989, authorized a grant of permanent and non-exclusive easement for an additional portion of Authority's Property, which had dimensions of 7 feet by 627 feet ("1989 Parcel"), and is located immediately west of and adjacent to the 1988 Parcel; and

WHEREAS, The Developer planned to use the 1988 and 1989 Parcels for road and sidewalk access to housing development; and

WHEREAS, The grant of easement was never finalized, and the Developer's project was not completed; and

WHEREAS, The Developer has recently contacted the Authority and requested permission to complete the grant of easement for use of the 1988 and 1989 Parcels; and

WHEREAS, The Developer also desires to expand the 1988 and 1989 Parcels by including additional Authority property which would provide road and sidewalk access from the Developer's property south to Isabella Street; and

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WHEREAS, Due to their unique configuration and location, the 1988 Parcel, 1989 Parcel, and aforesaid additional land likely are not of value to anyone other than the Developer; and

WHEREAS, The new proposed easement has dimensions of 32 feet by 627.30 feet, includes approximately 20,090 square feet, and is located immediately adjacent to the Authority's Purple Line Right-of-Way ("Easement Premises"); and

WHEREAS, Staff has commissioned an independent real estate appraisal report, which determined the current market value of the grant of easement of the Easement Premises is Three Hundred Thousand Dollars (\$300,000.00); and

WHEREAS, The Easement Premises is not required for Authority operations; and

WHEREAS, The Developer has agreed to relocate and replace existing Authority fencing located along the east property line of the Authority's Property, extending from Maple Avenue to Isabella Street, at its own expense, and reimburse the Authority for all expenses incurred for the relocation of existing Authority facilities or facilities owned by other companies located within the boundaries of the Easement Premises; and

WHEREAS, Operations and Engineering have determined that the grant of easement for the Easement Premises will not impact transit operations, as the Authority will retain fee title to the subject property and reserve the right of twenty-four (24) hour access over the Property for operations and maintenance purposes; now therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. The Chicago Transit Board hereby authorizes a grant of a permanent non-exclusive easement to Dick Keefe Development Corporation for certain vacant real estate which is adjacent to the Purple Line Right-of-Way located between Maple Avenue and Isabella Street, Wilmette, Illinois, legally described in Exhibit A hereto and depicted in Exhibit B hereto.

SECTION 2. The Chairman of the Chicago Transit Board, or designee, is hereby authorized to enter into an easement agreement with Dick Keefe Development Corporation which requires Dick Keefe Development Corporation to pay the Authority

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Three Hundred Thousand Dollars (\$300,000.00) and contains such other terms as are substantially in conformance with the Easement Agreement attached Exhibit C hereto.

SECTION 3. The Chairman, or designee, is further authorized to take such actions and execute such documents as may be necessary to implement the objectives of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

December 11, 2024

Secretary

December 11, 2024